

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CRISTIANA DILLEY,

Defendant.

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CASE NO. 8:06CR391

**MEMORANDUM
AND ORDER**

This matter is before the Court on the motion filed by defense counsel, Rebecca J. Smith, to withdraw immediately following sentencing on September 10, 2007 (Filing No. 48).

The motion is granted in part and denied in part. The plea agreement includes a waiver of the Defendant's right to appeal, subject to exceptions. Although the exceptions are limited, in light of the recent ruling in *United States v. Watson*, 2007 WL 2049697 (8th Cir. July 18, 2007), counsel will be allowed to withdraw after the expiration of the period for the filing of a notice of appeal, or the actual filing of a notice of appeal, whichever occurs first.

IT IS ORDERED that the motion filed by defense counsel, Rebecca J. Smith, to withdraw immediately following sentencing on September 10, 2007 (Filing No. 48) is granted in part and denied in part as follows: 1) counsel may withdraw from further representation of the Defendant; and 2) counsel may only withdraw after the expiration of the period for the filing of a notice of appeal, or the actual filing of a notice of appeal, whichever occurs first.

DATED this 13th day of August, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge